

Message Text

CONFIDENTIAL

PAGE 01 SANTIA 05798 01 OF 02 022201Z
ACTION ARA-14

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15 NSCE-00
SSO-00 ICAE-00 INRE-00 AID-05 HA-05 CA-01 JUSE-00
/076 W

-----062104 022255Z /64

O R 022112Z AUG 78
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 058
INFO AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY BUENOS AIRES
AMEMBASSY LA PAZ
AMEMBASSY LIMA
AMEMBASSY QUITO
USCINCSO
USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 1 OF 2 SANTIAGO 5798

E.O. 11652: GDS
TAGS: PGOV, SHUM, CI
SUBJ: LETELIER/MOFFITT INDICTMENTS AND REQUEST FOR PROVISIONAL
DETENTION : INITIAL REACTION

REF: SANTIAGO 5791 AND PREVIOUS

1. SUMMARY: STARTING ABOUT 1600 HOURS AUGUST 1, THE
LETELIER/MOFFITT INDICTMENTS AND THE SUBSEQUENT US RE
QUEST FOR PROVISIONAL DETENTION OF THREE CHILEANS HAVE
BEEN WIDELY REPORTED HERE. THE GOC MOVED QUICKLY TO
PLACE CONTRERAS, ESPINOZA AND FERNANDEZ UNDER GUARD AND
ISSUED A TEN-POINT STATEMENT THE NIGHT OF AUGUST 1, IN-
FORMING THE CHILEAN PEOPLE HOW IT VIEWS THE PRESENT SITUA-
TION. FOR THE MOMENT THE GOC IS STRESSING THE LEGAL
NATURE OF THE ISSUES WHILE WARNING CHILEANS AGAINST
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SANTIA 05798 01 OF 02 022201Z

THOSE WHO WILL ATTEMPT TO FIND POLITICAL ADVANTAGE IN
PRESENT CIRCUMSTANCES. PINOCHET TOOK A TRUCULENT POSITION
ALONG THESE LINES IN A PRESS BRIEFING THE MORNING OF
AUGUST 2. END SUMMARY.

2. MEDIA COVERAGE. LOCAL RADIO STATIONS BEGAN BROADCAST-
ING NEWS OF THE INDICTMENTS ABOUT 1600 HOURS AUGUST 1.

THE INDICTMENTS AND THE USG REQUEST FOR PROVISIONAL DETENTION OF THE THREE CHILEANS (MANUEL CONTRERAS, PEDRO ESPINOZA AND ARMANDO FERNANDEZ) WERE THE MAIN NEWS STORIES ON EVENING TELEVISION. POSSIBLY BY DESUGN, HOWEVER, THE GOVERNMENT'S CHANNEL DID NOT GET TO THE STORY UNTIL HALF-WAY THROUGH ITS EVENING BROADCAST AND THEN BROUGHT ON A COMMENTATOR, RAFAEL OTERO, WHO PROCEEDED TO CASE DOUBT ON THE CREDIBILITY AND EVEN THE GOOD FAITH OF THE GRAND JURY INDICTMENTS. HE REMINDED HIS LISTENERS OF THE CONTINUING GRAVE DOUBTS SURROUNDING THE DEATH OF PRESIDENT KENNEDY, SUGGESTING THAT THE LETELIER/MOFFITT ASSASSINATIONS MAY HAVE SIMILARITIES.

3. WITH THE EXCEPTION OF GOC-OWNED "EL CRONISTA," SANTIAGO'S MORNING NEWSPAPERS AUGUST 2 GIVE PREDOMINANT FRONT-PAGE ATTENTION TO THE LETELIER/MOFFITT CASE. "EL MERCURIO" HEADLINES THE PREVENTIVE ARREST OF CONTRERAS, ESPINOZA AND FERNANDEZ. "LA TERCERA" REFERS TO THE THREE CHIEFS OF DINA. "ULTIMA NOTICIAS" HEADLINES ONLY THE ARREST OF GENERAL CONTRERAS. ALSO ON THE FRONT PAGE, "EL MERCURIO" CARRIES A SUMMARY OF THE GRAND JURY INDICTMENTS AS WELL AS VARIOUS OTHER NEWS STORIES BY THE WIRE SERVICES OUT OF WASHINGTON. "EL CRONISTA" PRUPOSELY HIDES THE STORY ON PAGE 11. THE HEADLINE WHILE DISCREET NOTES THE PREVENTIVE DETENTION OF CONTRERAS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 SANTIA 05798 01 OF 02 022201Z

4. ONLY "EL MERCURIO" CARRIES AN EDITORIAL ON THE CASE. AFTER RECOUNTING SOME OF THE CIRCUMSTANCES OF THE LETELIER ASSASSINATION AND POINTING OUT THE TOTAL LACK OF LOGIC IN ATTRIBUTING THE CRIME TO THE GOC, "EL MERCURIO" SAYS NEVERTHELESS, THAT THE MATTER HAS REACHED A POINT WHERE "PUBLIC OPINION MUST PREPARE TO DEAL WITH THE POSSIBILITY THAT, FOR REASONS ENTIRELY INCOMPREHENSIBLE, (CHILEAN) SECURITY OFFICERS MAY HAVE BEEN INVOLVED IN SOME STAGES OF THE ASSASSINATION." IF THIS PROVES TO BE THE CASE, THOSE RESPONSIBLE, OF COURSE, MUST BE PUNISHED, BUT IN ORDER FOR JUSTICE TO BE CARRIED OUT THERE MUST BE CALM AND CAREFUL CONSIDERATION OF ALL THE FACTS.

5. LEGAL COMMENTARY. IN A COLUMN YESTERDAY (BEFORE THE INDICTMENTS BECAME PUBLIC) AND IN AN INTERVIEW WITH A CONSTITUTIONAL LAWYER IN TODAY'S EDITION, "LA TERCERA" HAS BEGUN WHAT WILL DOUBTLESS BE A LONG SERIES OF MORE OR LESS INTELLIGENT AND INFORMED COMMENTARIES ON THE US AND CHILEAN LEGAL SYSTEMS AND EXTRADITION AGREEMENTS INVOLVING THE TWO COUNTRIES. MAXIMIANO ERRAZURIZ AUGUST 1 MISTAKENLY DENIED THAT THE US IS A SIGNATORY TO THE 1933 MONTEVIDEO CONVENTION ON EXTRADITION AND

ARGUED THAT THE EXPECTED EXTRADITION REQUESTS WERE FOR CHILEANS TO GO UP TO TESTIFY BEFORE THE GRAND JURY. EDUARDO HAMILTON, AUGUST 2, SEEMS TO BE SUGGESTING THAT THE APRIL 18 AMNESTY COULD APPLY TO THE THREE CHILEANS AND THAT THE EXTRADITION REQUESTS MAY BE REFUSED ON THAT BASIS.

6. GOC STATEMENTS. AT APPROXIMATELY 2100 HOURS AUGUST 1, THE INTERIOR MINISTRY ISSUED A TEN-POINT STATEMENT (ENGLISH TRANSLATION OF TEXT TRANSMITTED REFTEL). THE STATEMENT TAKES NOTE OF THE US INDICTMENTS OF THREE CHILEANS AND THE REQUEST FOR THEIR PROVISIONAL DETENTION. IT SAYS THAT THE THREE HAVE BEEN PLACED UNDER "PREVENTIVE MILITARY ARREST." IT DEPICTS THIS SWIFT ACTION AS ONE CONFIDENTIAL

CONFIDENTIAL

PAGE 04 SANTIA 05798 01 OF 02 022201Z

MORE EXAMPLE OF THE TOTAL COOPERATION OF THE GOC IN THIS MATTER, ALL THE MORE IMPRESSIVE BECAUSE NO "RESPONSIBILITY FOR THE DEEDS" RESTS WITH THE GOVERNMENT. THE STATEMENT EXPLAINS TO THE CHILEAN PEOPLE THAT INDICTMENT DOES NOT NECESSARILY MEAN GUILT AND THAT THE ACCUSED MUST BE GIVEN EVERY OPPORTUNITY TO DEFEND THEMSELVES. IT ADDS THAT FOR THE EXTRADITION REQUESTS TO HAVE STANDING

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 SANTIA 05798 02 OF 02 022151Z
ACTION ARA-14

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15 NSCE-00
SSO-00 ICAE-00 INRE-00 AID-05 HA-05 CA-01 JUSE-00
/076 W

-----061922 022256Z /64

O R 022112Z AUG 78
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC IMMEDIATE 059
INFO AMEMBASSY ASUNCION
AMEMBASSY BRASILIA
AMEMBASSY BUENOS AIRES
AMEMBASSY LA PAZ
AMEMBASSY LIMA

AMEMBASSY QUITO
USCINCSO
USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 2 OF 2 SANTIAGO 5798

THE CHARGES MADE MUST BE VERIFIED BEFORE CHILEAN COURTS.
IN CONCLUSION, THE STATEMENT OBSERVES THAT THE INDICTMENTS
WILL FUEL THE PERMANENT ANTI-CHILEAN CAMPAIGN ABROAD AND
FOR THIS REASON THE LOCAL MEDIA MUST BE PRUDENT AND RES-
PONSIBLE.

7. THE CHILEAN ARMY ALSO ISSUED A BRIEF STATEMENT THE
NIGHT OF AUGUST 1, NOTING THAT CONTRERAS AND ESPINOZA
HAVE BEEN PLACED UNDER HOUSE ARREST (THE LATTER PRESUMABLY
IN PUNTA ARENAS WHERE HE HAS BEEN SERVING), AND THAT
FERNANDEZ IS CONFINED TO THE SANTIAGO MILITARY HOSPITAL,
ALSO UNDER MILITARY GUARD.

8. PINOCHET'S COMMENTS TO NEWSMEN. PRESIDENT PINOCHET
HAD A WORKING BREAKFAST AUGUST 2 WITH THE JOURNALISTS
WHO COVER DIEGO PORTALES. SOME OF THE QUESTIONS AND AN-
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SANTIAGO 05798 02 OF 02 022151Z

SWERS HAVE BEEN REPORTED ON LOCAL RADIO. IN RESPONSE TO
THE OBSERVATION OF ONE NEWSMAN THAT THE DEPARTMENT OF
STATE HAD DESCRIBED THE INDICTMENTS OF THREE CHILEANS AS
A GRAVE MATTER, PINOCHET REPLIED THAT THIS IS A JUDICIAL
PROBLEM AND THAT HE FINDS IT "MORE GRAVE THAT THEY (THE
DEPARTMENT OF STATE) GET INVOLVED IN MATTERS WHERE THEY
SHOULD NOT INTERFERE." REGARDING POSSIBLE INTERNAL REPER-
CUSSIONS OF THE LETELIER CASE, PINOCHET REPORTEDLY SAID
"THAT THIS IS WHAT THEY WANT TO FOMENT AND FOR THAT REASON
WE HAVE TO HAVE CALM AND COOLNESS AND SEE OBJECTIVELY
WHAT IS HAPPENING."

9. COMMENTS OF FOREIGN MINISTER. THE DCM TALKED BRIEFLY
WITH FOREIGN MINISTER CUBILLOS NOON AUGUST 2. CUBILLOS
MADE TWO POINTS. HE SAID THAT THE GOC IS TAKING THE
LETELIER CASE AND SPECIFICALLY OUR NOTE OF AUGUST 1 EX-
TREMELY SERIOUSLY AND THAT THIS IS THE REASON FOR THE
PROMPT ACTION IN PLACING THE THREE MEN UNDER PREVENTIVE
DETENTION. SECOND, THAT IN VIEW OF THE GOC IT IS VERY
IMPORTANT TO KEEP THE LETELIER CASE AND ITS VARIOUS RAMI-
FICATIONS IN LEGAL CHANNELS. (BY FIRST PERSON NOTE OF
AUGUST 2 WE HAVE RECEIVED A REPLY TO OUR NOTE OF AUGUST 1
REQUESTING PROVISIONAL DETENTION OF CONTRERAS, ET. AL.
THE NOTE SAYS THAT THE GOC COMPLIED WITH OUR REQUEST
AUGUST 1.)

10. COMMENT: ALTHOUGH THE INDICTMENTS WERE NEAR ANTI-CLIMATIC THE REQUEST FOR PROVISIONAL DETENTION WAS NOT. NOT SURPRISINGLY THAT ASPECT CAPTURED THE HEADLINES. MORE IMPORTANT IT IMPRESSED UPON THE GOC AND, WE MAY SUPPOSE, MANY CHILEANS THE SERIOUSNESS ATTACHED TO THE LETELIER/MOFFITT CASE BY THE USG. FOR THE MOMENT AT LEAST THE GOC IS HOLDING OPEN ITS OPTIONS ON HOW TO PROCEED IN
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 SANTIA 05798 02 OF 02 022151Z

THIS MATTER. OSTENSIBLY THERE IS FULL COOPERATION, AND THE GOC ACTED SMARTLY IN BOTH SENSES IN IMPOSING THE PROVISIONAL DETENTIONS. CONSISTENT WITH THIS POSTURE, BUT OPENING THE WAY FOR POSSIBLE ROADBLOCKS AND OBSTRUCTION LATER ON, THE GOC STATEMENT OF LAST NIGHT EMPHASIZES THE LEGAL ASPECTS OF THE ISSUES AT HAND AND NOTES THE NEED FOR CONVINCING EVIDENCE IN ORDER TO CONVICT AND THE EXACTING DOCUMENTARY REQUIREMENTS FOR EXTRADITION. BOTH IN LAST NIGHT'S STATEMENT AND IN PINOCHET'S REPORTED REMARKS THIS MORNING THERE IS THE PREDICTABLE REFERENCE TO POLITICAL MISUSE OF THE CASE. THIS MAY PROVE A TEMPTING OPENING FOR THE GOC AND ITS APOLOGISTS AS PUBLIC OPINION STARTS TO COALESCE.

11. THE PHRASE IN LAST NIGHT'S STATEMENT THAT "NO RESPONSIBILITY FOR THE DEEDS RESTS WITH IT (THE GOVERNMENT)" SHOULD BE UNDERSTOOD IN THE SENSE PINOCHET HAS MADE THAT DISTINCTION PREVIOUSLY. THE GOC TAKES THE POSITION THAT DINA IS NOT THE GOVERNMENT; EVEN IF THE CULPABILITY OF CONTRERAS IS PROVED, THERE CAN BE NO IMPUTATION OF KNOWLEDGE OR GUILT TO THE HIGHEST AUTHORITIES OF THE REGIME.
LANDAU

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DETENTION
Control Number: n/a
Copy: SINGLE
Draft Date: 02 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978SANTIA05798
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780316-1077
Format: TEL
From: SANTIAGO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197808106/aaaadllj.tel
Line Count: 259
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e1ff8a58-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 SANTIAGO 5791
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 06 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1559952
Secure: OPEN
Status: NATIVE
Subject: LETELIER/MOFFITT INDICTMENTS AND REQUEST FOR PROVISIONAL DETENTION : INITIAL REACTION
TAGS: PGOV, SHUM, CI
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/e1ff8a58-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014